

11-29-00

#3 Pre Amended  
S.7.  
11-1001

# UTILITY PATENT APPLICATION TRANSMITTAL

11/28/00  
36649 U.S. PTO

Address to: Box PATENT APPLICATION Commissioner for Patents United States Patent & Trademark Office Washington, D.C. 20231	Attorney Docket No.	RPC 0543 PUS
	Inventor(s) or Appln. Identifier	Trenton M. Overholt, William Patrick Apps; and Gerald R. Koefeldt

11/28/00  
36649 U.S. PTO

1. This application entitled COLLAPSIBLE CONTAINER is:
- a.      A new application under 37 C.F.R. § 1.53(b).
  - b.  X  A  X  continuation      divisional or      continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 09/578,766 filed on May 25, 2000, which is a continuation of U.S.P.N. 6,098,827 issued on August 8, 2000, which is a continuation of U.S.P.N. 6,015,056, issued January 18, 2000, entitled COLLAPSIBLE CONTAINER.
  - c.      A new utility application which claims the benefit of provisional application Serial No.     , filed on

Application elements and other attached papers:

- 2.  X  Specification (including Claims and Abstract) [Total Pages 27 ]
- 3.  X  Drawings (      informal /  X  formal) [Total Sheets 10 ]
- 4.  X  Oath or Declaration
  - a.      Newly-executed
  - b.  X  Copy from a prior application (37 C.F.R. § 1.63(d))
- 5.  X  Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- 6.      This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a.      **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_
  - b.      The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10	
I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box Patent Application, Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on:	
Express Mail Label No. <u>EL 503 256 043 US</u>	<u>Konstantine J. Diamond</u> (Type or print name of person mailing paper)
Date of Deposit: <u>November 28, 2000</u>	<u>Konstantine J. Diamond</u> (Signature of person mailing paper)

## 7. Preliminary Amendment:

- a. ☐ A Preliminary Amendment is attached.
- b. ☐ Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.
- c. ☒ Please amend the specification by inserting before the first line the following sentence:

"This is a ☒ continuation

*divisional application No. 09/412,095, filed on Oct. 04, 1999, now*  
 of copending application(s) serial number 09/578,766 filed on May 25, 2000, which is a continuation of U.S. Patent No. 6,098,827 issued August 8, 2000, which is a continuation of U.S. Patent No. 6,015,056, issued January 18, 2000."

*now U.S. Pat. No. 6,209,742,*

- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

## 8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

## 9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	8 -20 =	0	x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	3 -3 =	0	x 80.00	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			270.00	
BASIC FEE (37 C.F.R. § 1.16(a))				710.00
TOTAL OF ABOVE CALCULATIONS				710.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				
TOTAL				710.00

10. ☒ A check in the amount of \$ 710.00 is enclosed.
11. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.

## 12. Maintenance of Copendency of Prior Application

\_\_\_\_\_ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until \_\_\_\_\_.

13. X An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:

a. X Form PTO/SB/08 (3 sheet(s))

b. X Copies of references cited are not included because they were cited in the priority application as allowed by 37 C.F.R. § 1.98(d).

## 14. \_\_\_\_\_ Certified copy of priority document(s)

15. X Return Receipt Postcard

## 16. \_\_\_\_\_ Other: \_\_\_\_\_

17. X An Assignment of the invention to REHRIG PACIFIC COMPANY  
having an address of 4010 East 26th Street, Los Angeles, California 90023

a. \_\_\_\_\_ is attached.

b. x was recorded on May 29, 1998 at Reel 9203, Frame 0020.

c. \_\_\_\_\_ Applicant requests that the above assignee information be published with the application.

## 18. The power of attorney in the prior application is to:

KONSTANTINE J. DIAMOND  
Name of Attorney of Record

39,657  
Reg. No.

\_\_\_\_\_ The power appears in the original papers in the prior application.

X The power does not appear in the original papers, but was filed on May 26, 1998.

\_\_\_\_\_ A new power has been executed and is attached.

## 19. Correspondence Address: Please address all future communications to:

KONSTANTINE J. DIAMOND,  
Brooks & Kushman P.C.  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1351  
Telephone: 248-358-4400; Fax: 248-358-3351

Respectfully submitted,

Date November 28, 2000

Konstantine J. Diamond  
Name: Konstantine J. Diamond  
Registration No.: 39,657

X Attorney or agent of record  
\_\_\_\_\_ Filed under Rule 34(a)